



PROVO RIVER
WATER USERS
ASSOCIATION

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December 30, 1998

Brad Gardner, River Commissioner
Utah Lake and Jordan River System
7555 Woods Lane
Midvale, UT 84047-2793

G. KEITH DENOS, SUPERINTENDENT

Re: Provo Reservoir Canal Spills to Jordan River at the Point of the Mountain

Dear Mr. Gardner:

Provo River Water Users Association (PRWUA) acknowledges that there are times during the irrigation season when spills through the wasteway of the Provo Reservoir Canal at the Point of the Mountain require adjustments to the gates at the Turner Dam by the Deputy Water Commissioner to offset those spills, and corresponding adjustments to the gates at the Joint Dam (Salt Lake City and South Jordan) located a short distance downstream. PRWUA is willing to compensate the Deputy Water Commissioner for his time in making the above adjustments when required as a result of those spills. However, PRWUA is unwilling to compensate when such spills do not require such adjustments, particularly when the Utah Lake radial gates are open and Utah Lake is spilling down the Jordan River.

Apparently, no written agreement can be found covering the above arrangement. Accordingly, PRWUA desires to formalize this arrangement in writing as follows:

1. PRWUA will notify the Deputy Water Commissioner of planned or emergency spills, including the estimated flows thereof, from the Provo Reservoir Canal through the wasteway into the Jordan River at the Point of the Mountain as early as is practicable.
2. The Deputy Water Commissioner will make the necessary adjustments to the gates at the Turner Dam and/or the gates at the downstream Joint Dam to accommodate those spills during the irrigation season.
3. PRWUA will compensate the Deputy Water Commissioner for his actual time necessary to make the above adjustments. However, no compensation shall be required during those times when the Utah Lake radial gates are open and Utah Lake water is spilling down the Jordan River.

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4. Compensation to the Deputy Water Commissioner will be twelve dollars (\$12.00) per hour and will be adjusted for the 1999 irrigation season and every two years thereafter upon mutual agreement of the parties.
5. At the end of each irrigation season, the Deputy Water Commissioner will submit to PRWUA a detailed written statement covering his actual services in making the necessary adjustments to the gates at the Turner Dam and/or Joint Dam required as a result of the spills in accordance with the above. The written statement shall specify the date, the number of hours so required on each date and the hourly rate of compensation.
6. This agreement will apply for the 1996 irrigation season and thereafter unless terminated by either party.

If this agreement meets with your approval, please sign the duplicate original of the enclosed and return it to me. If you have any questions, please do not hesitate to call me at (801) 254-2988.

Sincerely,

G. KEITH DENOS

G. Keith Denos, P.E.
Superintendent

APPROVED AND ACCEPTED this ____ day of _____, 199__.

Brad Gardner
Utah Lake and Jordan River Commissioner

GKD/JN/bmp

cc: Jim Riley, UDWR Regional Engineer